

# Sultz & Lipari

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November 12, 2024

**VIA ECF**

The Honorable Julien X. Neals, U.S.D.J.  
United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, Courtroom MLK 5D  
Newark, NJ 07101

**Re: *Emerson, et al v. Andover Subacute Rehabilitation Center I, et al.***  
**Docket No. 2:20-cv-20066-JXN-AME**

Dear Judge Neals,

We represent Plaintiffs in the above-referenced matter. We are writing to inform the Court of the recent death of Plaintiff Michael Emerson.

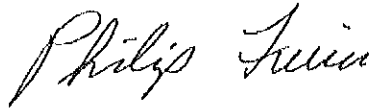
We have now filed on the docket a Notice of Death in accordance with Fed R. Civ. P. 25(a)(3). It is our intention to substitute Mr. Emerson in this matter with a representative within the next 90 days as permitted by Fed R. Civ. P. 25(a)(1). Accordingly, we hereby request that all deadlines in this matter be stayed for a period of ninety (90) days to permit Plaintiffs' counsel to effectuate the appointment of a representative for Mr. Emerson in this matter.

If this Court will grant this request, the deadlines which will be impacted are those stated in the Text Order at ECF 61 relating to Defendants' pending motions to dismiss. As it currently stands the parties are directed to "(1) serve the opposition papers on or before November 15, 2024, and (2) serve the reply papers on or before December 13, 2024 (and refrain from filing any papers on CM/ECF)." We ask that as part of a stay of this matter, these above deadlines be extended 90 days to allow counsel to meaningfully consult with Mr. Emerson's representative prior to filing opposition to the motions.

We have sought the consent of the Defendants as to this request by email on Friday November 8, 2024 and, to date, we have received no response.

We thank the Court for its attention to this matter.

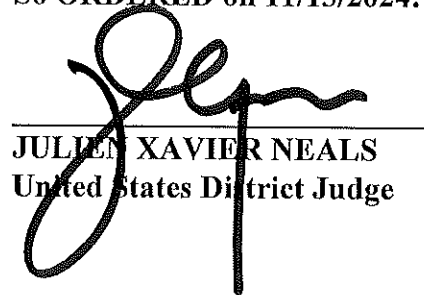
Very truly yours,

A handwritten signature in cursive script, reading "Philip J. Furia".

Philip J. Furia

\* Stay and 90 Day Extension Request is GRANTED.  
A status letter is due to the Court 45 days from entry of  
this Letter Order.

So ORDERED on 11/13/2024:

A handwritten signature in cursive script, reading "Julien Xavier Neals".  

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JULIEN XAVIER NEALS  
United States District Judge